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10/051,221	01/18/2002	Kazuya Kishimoto	P6545a	7176

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EPSON RESEARCH AND DEVELOPMENT INC  
INTELLECTUAL PROPERTY DEPT  
150 RIVER OAKS PARKWAY, SUITE 225  
SAN JOSE, CA 95134

EXAMINER

DIVECHA, KAMAL B

ART UNIT PAPER NUMBER

2151

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/051,221

Applicant(s)

KISHIMOTO, KAZUYA

Examiner

KAMAL B. DIVECHA

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Response to Arguments**

Claims 1-9 and 11 are pending in this application.

**Claim Rejections - 35 USC § 112**

The 35 USC 112, second paragraph rejection presented in the prior office action has been withdrawn.

**Claim Rejections - 35 USC § 101**

The 35 USC 101 rejection presented in the prior office action has been withdrawn.

Applicant's arguments filed 4/28/06 have been fully considered but they are not persuasive.

In response filed, applicant argues in substance that:

- a. Neither Yamamoto nor Shimamura, alone or in combination, disclose or suggest a shared method-server apparatus. In Yamamoto, each of the work-flow systems 100 has an associated switching apparatus that sends and receives work flow data via electronic mail. Each switching apparatus is connected to each other (see Fig. 2), not to a method server apparatus. In this direct connection system, the electronic mail is sent from a source directly to a destination. There is no need in Yamamoto (or Shimamura), nor any suggestion, of a method server apparatus that reads the electronic mail and determines which work-flow system the electronic mail relates to, and then sends a command in the electronic mail to the related work-flow system.

In response to argument a above, Examiner respectfully disagree for the at least three reasons:

First, the specification fails to provide any suggestion or teaching of the subject matter as claimed in claims 1-9, 11 (see the 35 USC 112, first paragraph rejection).

Secondly, applicant specification suggests “each work-flow server apparatus can send electronic mail directly to the mail-server apparatus 60 via the communication network 50 without using a method-server apparatus (specification page 11 lines 23-25)”. In other words, the method-server apparatus is certainly not a requirement of the invention, i.e. including a method-server apparatus is certainly an obvious modification to the prior art.

Third, Yamamoto does disclose a system including a method-server apparatus (i.e. an apparatus, fig. 5 item #222) that is connected to the first computer apparatus (fig. 5 item #100 (1)) and the second computer apparatus (fig. 5 item #100 (2), which reads an electronic mail from the mail storage (fig. 5 item #221) and obviously has determined whether the mail relates, belongs or is for the work-flow system and extracts the mail and sends it to the corresponding work-flow system (in this case to wok-flow system 100 (2), see col. 5 L4 to col. 6 L61).

Yamamoto expressly teaches the process of deciding or determining which system the mail relates and/or corresponds to by simply determining the sending address (col. 6 L10-15).

For the at least reasons set forth above, the rejection is maintained.

Art Unit: 2151

**Detailed Action**

**Specification**

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to adequately teach how to make and use the invention, i.e., failing to provide an enabling disclosure.

The test to be applied under the written description portion of 35 U.S.C. § 112, first paragraph, is whether the disclosure of the application as originally filed reasonably conveys to the artisan that the inventor had possession at that time of later claimed subject matter. Vas-Cat, Inc. v. Mahurkar, 935 F. 2d 1555, 1565, 19 USPQ2d 111, 1118 (Fed. Cir. 1991), reh'rg denied (Fed. Cir. July 8, 1991) and reh'rg, en banc, denied (Fed. Cir. July 29, 1991).

The applicants have failed to provide an enabling disclosure in the detailed description of the embodiment. The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to support the subject matter set forth in these claims.

The claims recite "...a method-server apparatus that is connected to the first computer apparatus and the second computer apparatus, the method-server apparatus reading the electronic mail from the electronic mail storage and determining whether the electronic mail relates to the first work-flow system or the second work-flow system, wherein the method-server apparatus transmits the command to a related one of the first work-flow system and the second work-flow system, depending on which work-flow system the electronic mail relates to, ...in the relate one of the first work-flow system and the second work-flow system, whereby a corresponding one of the first computer apparatus..."

However, the specification merely suggests whether the mail is related to one of the work flows Y1, Y2, Y3...in the work-flow system WFS2 (see specification pg. 9 lines 10-20). There is simply no teaching or suggestion for determining whether the electronic mail relates to the first work-flow system or the second work-flow system.

Hence, the above claimed limitation presents the subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

**Claim Rejections - 35 USC § 112**

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9, 11 are rejected under 35 U.S.C. 112, first paragraph, for the same reasons as set forth in objection to specification above.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2,4-8,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,385,640 issued to Yamamoto et al.(Yamamoto) in view of US Publication 2001/0003827 issued to Shimamura.

As per claim 1,6,7,11, Yamamoto teaches a work-flow cooperation processing apparatus that achieves cooperation among at least two work-flow systems, comprising:

a first work-flow systems including a first computer apparatus serving as a work-flow server(Abstract, Figs. 5);

a second work-flow system including a second computer apparatus serving as a work-flow server(Abstract, Fig.5, col.6, lines 10-15);

an electronic-mail storage that stores an electronic mail sent from the first work-flow system or the second work-flow system (Fig.5 and col. 6 L38-45),

a method-server apparatus that is connected to the first computer apparatus and the second computer apparatus, the method-server apparatus reading the electronic mail from the electronic mail storage and determining whether the electronic mail relates to the first work-flow system or the second work-flow system(Fig.5, col.5, line 5 to col. 6 line 15);

Yamamoto, does not explicitly teach the electronic mail including a command; wherein the method-server apparatus transmits the command to a related one the first work-flow system

Art Unit: 2151

and the second work flow system, depending on which work-flow system the mail relates to, when the command relates to a work flow in the second work-flow system, and the second computer apparatus executes the work flow corresponding to the command in the second work-flow system in the related work-flow system.

Shimamura teaches the electronic mail including a command (Fig.4,5,7,8); wherein the method-server apparatus transmits the command to the second computer apparatus when the command relates to a work flow in the second work-flow system, the command is used to activate the work flow, and the second computer apparatus executes the work flow corresponding to the command in the second work-flow system (Figs.4,5,7,8, paragraph 022, claim 1).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Yamamoto to add a command in an email to be performed by another computer in another work flow system as taught by Shimamura in order to remotely perform maintenance for devices in a network (Shimamura, paragraph 0001).

One ordinary skill in the art would have been motivated to combine the teachings of Yamamoto and Shimamura in order to provide a system to remotely perform maintenance for devices in a network (Shimamura, paragraph 0001).

As per claim 2,8, wherein the first computer apparatus sends the electronic mail for storage in the electronic-mail storage when electronic-mail processing is designated at a node of a work flow in the first work-flow system, and the first computer apparatus does not send the electronic mail when electronic mail processing is not designated at the node of the



Art Unit: 2151

work flow in the first work-flow system(Yomamoto, col.6, lines 53-65; it is inherent that if an email is not addressed to a specific person that it will not send the email).

As per claim 4, wherein the command is an activation command that activates the work flow in the second work-flow system (Yomamoto, Fig.5, col.5, lines 64-67).

As per claim 5, wherein the electronic mail has text data, and the text data includes a parameter specifying the work flow in the second work-flow system(Yomamoto, col.6, lines 1-22).

2. Claims 3,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,385,640 issued to Yamamoto et al.(Yamamoto) in view of US Publication 2001/0003827 issued to Shimamura in further view of Office Notice.

Yamamoto in view of Shimamura teaches all the limitations of claim 1, and 7, and further teaches as per claim 3,9 wherein the method-server apparatus transmits the command to the second computer apparatus when the electronic mail is related to the work flow in the second work-flow system(col.6, lines 1-15;the 1<sup>st</sup> system determines that the email is related to the second work flow system).

Yamamoto in view of Shimamura however, does not teach deleting email from a mail storage. Office Notice is taken; one ordinary skill in the art would delete an email from a mail storage when the email is read or unwanted to save memory or storage space.

One ordinary skilled in the art would be motivated to combine Yamamoto in view of Shimamura and to delete email from a mail storage to provide a system to save storage space on a computer.

**Additional References**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

US 6,629,131 issued to Choi

US 5,974,392 issued to Endo

US 5,938,722 issued to Johnson

**Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

Art Unit: 2151

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kamal Divecha  
Art Unit 2151  
June 20, 2006.

Khank Dinh  
Primary Examiner